

Department of the Army
 Headquarters Fort Monroe
 Fort Monroe, Virginia 23651
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*FM Reg 190-5

Military Police

FORT MONROE MOTOR VEHICLE REGULATION

Summary. This regulation prescribes policies and procedures governing Fort Monroe traffic and parking procedures.

Applicability. The provisions of this regulation are applicable to all personnel who operate a motor vehicle on Fort Monroe. Such violations of Virginia Motor Vehicle and Traffic Regulation, Title 18, U.S. Code, Section 13 (Assimilative Crimes). Violations of traffic regulations may be cause for appropriate Uniform Code of Military Justice (UCMJ) disciplinary action which may be in addition to any penalty provided by the Magistrate Court.

Suggested improvements. Send comments and suggested improvements on DA Form 2028 through channels to Commander, Fort Monroe, ATTN: ATZG-PM, Fort Monroe, VA 23651.

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*This regulation supersedes FM Reg 190-5, 25 May 1983

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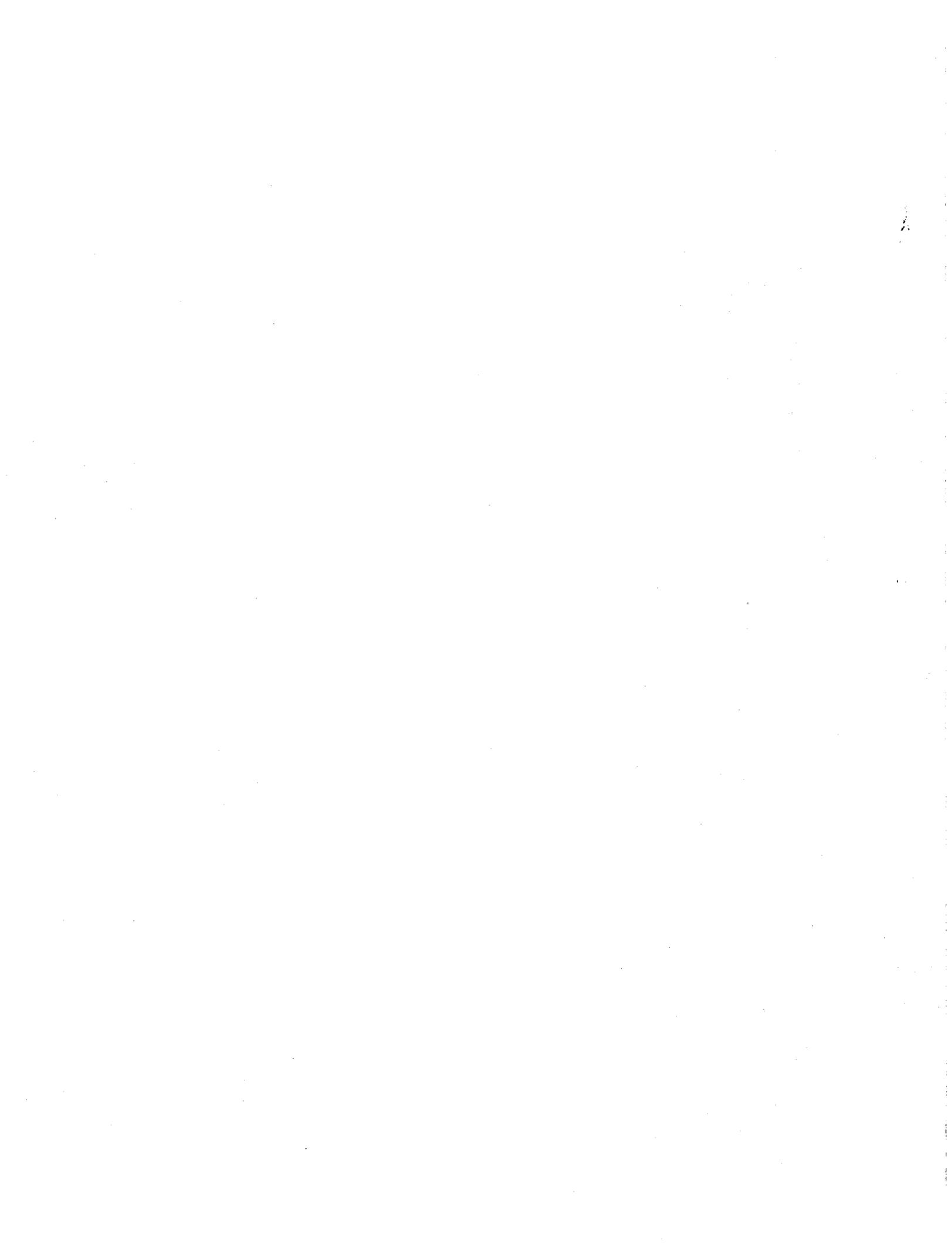
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Chapter 1
Motor Vehicle Traffic Supervision

1-1. Purpose. This regulation establishes policy, laws, and regulations governing the operation of motor vehicles, bicycles, movement of pedestrians, and other traffic related matters on Fort Monroe. In cases not covered by AR 190-5 or this regulation, the Traffic Laws of the State of Virginia shall apply.

1-2. References. Appendix A contains the required and related publications.

1-3. Staff Responsibilities.

a. Commanders/directors/chiefs, to include tenant activities on Fort Monroe, will ensure orientation of all newly assigned or employed personnel concerning this regulation.

b. The Provost Marshal is delegated the authority for traffic enforcement on behalf of the installation Commander.

c. The Personnel Administration Center will ensure that the Provost Marshal Office is provided a roster on a monthly basis of all military personnel clearing or departing the installation.

d. The Peninsula Civilian Personnel Support Activity will provide the Provost Marshal Office a roster on a monthly basis of all civilian personnel departing the installation.

e. The Post Safety Office will ensure remedial drivers training for those individuals requiring additional training and will establish a defensive driving program.

f. The Director of Engineering (DEH) is responsible for allocation of all reserved parking spaces and maintaining roadways and traffic signs on Fort Monroe. Additionally, the DEH is delegated the authority to suspend or revoke installation driving privileges.

g. Individuals operating vehicles on Fort Monroe are responsible for complying with the provisions of AR 190-5 and the Virginia Traffic Code.

1-4. Obedience to Traffic Code. The operation of a motor vehicle on a military installation constitutes a privilege extended by the installation Commander; individuals desiring the privilege will meet the following conditions:

a. Comply with motor vehicle laws of the state of Virginia and regulations governing motor vehicle operation on the installation.

b. Comply with requirements for installation registration, and possess the following documents while operating a motor vehicle which are to be produced on demand of law enforcement personnel.

- (1) Proof of vehicle ownership; state registration.
- (2) A valid state driver's license.
- (3) Insurance as required by Virginia state law.

(4) A current civil service, DOD civilian, military or dependent identification card, if appropriate.

c. All personnel operating government vehicles must attend the Installation Defensive Driving Course.

d. Any person operating a vehicle on Fort Monroe has given his/her implied consent to a chemical test of his/her blood, breath, or urine to determine the alcoholic content of his/her blood if apprehended for suspected driving while intoxicated (DWI).

1-5. Traffic Law Enforcement.

a. Traffic laws and regulations are written and enforced to ensure a safe, orderly, and predictable flow of traffic.

b. It is unlawful to interfere with military police while they are investigating accidents, traffic violations, or citing persons for such violations. All questions concerning investigations, traffic citations, or police operations will be directed to the Provost Marshal.

c. The action of driving a vehicle on Fort Monroe subjects the vehicle and the operator thereof to a search when authorized by the law or an appropriate regulation. Spot checks will be made at strategic locations. Such checks may consist of:

- (1) A safety inspection.
- (2) A spot check for valid driver's license and state registration.
- (3) Sobriety check points.
- (4) Other official inspections as determined by the installation Commander.

1-6. Suspension or Revocation of Installation Driving Privileges.

a. The DEH has been designated by the Post Commander to suspend or revoke installation driving privileges of any operator of a motor vehicle when:

(1) The owner fails to maintain proof of financial responsibility or vehicle insurance equal to the minimum required by the state of Virginia.

(2) Persons who have been apprehended and found guilty of possession of unlawful drugs while driving or in physical control of a motor vehicle on the installation.

(3) Lawful apprehension for drunk driving.

(4) Refusal to take or complete a lawfully requested chemical test for blood alcohol content.

(5) Driving or being in physical control of a motor vehicle on post when blood alcohol content is 0.10 percent or higher or off post when blood alcohol content exceeds the applicable state law. (Suspensions and revocations are authorized for non-DOD affiliated civilians only with respect to incidents occurring on the installation or in areas subject to military traffic supervision.)

b. The suspension or revocation of driving privileges will be vacated upon acquittal of drunk driving charges. However, acquittal of drunk driving charges will not result in repeal of any suspension or revocation of driving privileges when such action was based on the following or as stated in AR 190-5:

(1) A refusal to submit to or complete a lawfully requested test to measure blood alcohol content.

(2) Driving or being in physical control of a motor vehicle while a suspension or revocation was in effect.

(3) Four parking violations by the principal registered owner of the vehicle or by his family members within 12 calendar months.

(4) Personnel who have established an unsafe driving record or used a vehicle during the commission of a crime. Such suspensions may be made without regard to point assessment under the Virginia Code. However, each case will be handled individually on its own merits, and suspension shall be imposed only after full consideration of the nature of the offenses and the individual's driving record.

c. Assessment of points, notification, and appeal procedures will be in accordance with AR 190-5.

Chapter 2
Vehicle Registration

2-1. Registration Policy.

a. Privately owned vehicles, to include motorcycles/motor scooters, owned or operated by active duty or retired military personnel, their family members, and civilians employed on Fort Monroe, as well as commercial vehicles being operated on Fort Monroe for business purposes, are required to be registered at the Office of the Provost Marshal.

b. Bicycles, mopeds, minibikes, and trail bikes located on Fort Monroe will be registered at the Office of the Provost Marshal utilizing a crime prevention identification decal.

2-2. Registration Requirements.

a. The following items must be verified by the vehicle registration clerk when a DOD decal and/or expiration tab is issued.

(1) Possession of a valid state driver's license.

(2) A valid state registration reflecting acquisition of permanent state license plates.

(3) Proof of satisfactory completion of a vehicle safety inspection in the state where the vehicle is licensed or located. For those vehicles registered in states that do not require an inspection sticker, the vehicle must be inspected by the state of Virginia. Inspection certificates must show the vehicle identification number and expiration of inspection. Inspection sticker must be displayed on vehicle in accordance with the law of the state in which it was inspected. The only exception is a vehicle rejected for having tinted windows; however, a vehicle must still be inspected to ensure that it is mechanically safe. The rejection documentation must reflect that the vehicle was rejected for tinted windows only and must be provided to the vehicle registration clerk at the time of registration. Vehicles rejected for tinted windows only must be reinspected annually.

(4) Vehicle owners must have and maintain liability insurance that meets the minimum requirements of the state of Virginia (personal liability each person, \$25,000; personal liability each accident, \$50,000; and property damage liability, \$10,000). Individuals are required to present an insurance card for verification. Individuals' signatures on DA Forms 3626 stipulate they have been informed of the requirement to maintain this insurance.

(5) A current and valid civil service DOD civilian, military, or family member identification card. The full time or part time employment of civilians not possessing a valid identification card will be verified by a telephone call to the gaining department head.

b. Limitations on issuance of DOD decals.

(1) Vehicles bearing USAREUR license plates will be issued a 30-day temporary registration.

(2) Vehicles bearing foreign license plates will not be issued permanent or temporary registrations with the exception of foreign liaison officers.

(3) Personnel performing duty or employed on Fort Monroe for less than 60 days will be issued a temporary registration card.

(4) Individuals pending permanent registration will be issued a temporary registration card, not in excess of 45 days.

(5) Personnel visiting the installation for less than 60 days will be issued a temporary registration card.

(6) Contractor-owned construction equipment designed for off-road use and material handling equipment will not be registered.

(7) Vehicles with elevated or lowered rear/front ends are unsafe and will be denied registration.

(8) Rental vehicles or vehicles bearing dealer's license plates will not be issued identification decals.

(9) Contractors awarded contract of less than one year will be issued temporary vehicle registration(s) for the term of the contract.

2-3. Vehicle Registration Card, DA Form 3626.

a. A Vehicle Registration/Drivers Record Card, DA Form 3626, will be completed in accordance with AR 190-5 for each vehicle registered. Information must be updated as significant changes occur.

b. This form will also be used to assess traffic points, record accidents, and all other traffic-related dispositions.

c. The registrant's signature on this form indicates his/her continued compliance with state laws pertaining to financial responsibility, safety inspections, and installation registration conditions.

d. A new DA Form 3626 will be completed by the applicant each time a DOD decal, expiration tab, or installation tab is issued.

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2-4. Department of Defense Registration Decals, DD Form 2220.

a. Department of Defense decals (DD Form 2220) will consist of international blue borders and printing on a white background, also an alphanumeric individual form identification number. DD Form 2220 will be used to register POVs on all DOD installations or facilities.

b. Fort Monroe expiration and installation tabs will be issued as indicated below.

- (1) Blue Decals - Officers (active duty and retired).
- (2) Red Decals - Enlisted (active duty and retired).
- (3) Green Decals - Civilian Employees.
- (4) Black Decals - Contractor/Other Personnel.

c. Displaying of DOD decals.

(1) Permanent DOD decals, expiration, and installation tabs will be conspicuously displayed on the outside of the front windshield top dead center.

(2) Motorcycle or motorbike decals will be affixed to the right front fork.

(3) Personnel whose vehicles are registered at other installations (Navy, Air Force) and display a valid DD Form 2220 (DOD decal), along with the installation and expiration tabs, will not be required to display a Fort Monroe decal and will be granted access.

(4) The display of more than one installation decal is prohibited.

(5) Authorized personnel may place rank insignia on the left (driver's side) front bumper.

(6) Illegible or defaced decals must be immediately replaced.

d. Locally reproduced DOD decals will be issued using the same criteria as for the DD Form 2220. These locally reproduced decals will be issued until exhausted or until the Department of the Army requires implementation. These decals will be placed on the inside windshield behind the rear view mirror in the blind spot.

2-5. Termination of Vehicle Registration Privileges.

a. The vehicle registration section will be notified within 72 hours of sale or other disposition of a vehicle. Identification decals will be removed from the vehicle prior to its trade, sale, or other disposition.

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b. The vehicle registration section will be notified by the owner upon transfer or departure from the installation. Owners must physically remove the decals from their vehicles and present the decal to the vehicle registration section upon clearing.

c. Personnel incapable of clearing themselves may be cleared by another person who is duly authorized to clear the individual.

d. Vehicle registration privileges will be terminated when one of the following occurs:

(1) The owner knowingly permits the use of his/her motor vehicle in the commission of a crime or illegal activity.

(2) The owner permits the use of his/her vehicle by an unlicensed driver.

(3) The owner has had his/her installation driving privilege or state operator's license suspended or revoked.

(4) The owner fails to comply with the registration requirements.

Chapter 3

Towing and Impoundment of Privately Owned Vehicles

3-1. General. This chapter provides the standards and procedures for military police personnel when towing, inventorying, searching, impounding, and disposing of POVs.

3-2. Standards for Impoundment.

a. Privately owned vehicles should not be impounded unless the vehicle clearly interferes with an ongoing operation or movement of traffic, threatens public safety or convenience, is involved in criminal activity, contains evidence of criminal activity, or is stolen or abandoned.

b. The impoundment of a POV would be inappropriate when reasonable alternatives to impoundment exist.

(1) Attempts should be made to locate the owner prior to the vehicle being removed.

(2) Vehicles should only be moved short distances until the owner is located.

(3) Military police should allow another reliable person to drive or tow the vehicle with the owner's permission.

c. Impoundment of POVs are justified when:

(1) The POV is illegally parked--

(a) On a street or bridge, or is doubled parked, and interferes with the orderly flow of traffic.

(b) On a sidewalk, within an intersection, on a crosswalk, in a fire lane, or is blocking a driveway so that the vehicle interferes with operations or creates a safety hazard to other roadway users or the general public. An example would be a vehicle parked within 15 feet of a fire hydrant or blocking a properly marked driveway of a fire station.

(c) When blocking an emergency exit door of a public place.

(d) In a "tow-away" zone that is properly marked.

(2) The POV interferes with--

(a) Street cleaning or snow removal operations.

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(b) Emergency operations during a natural disaster, fire, or must be removed from the disaster area during cleanup operations.

(c) Ongoing operation at building 37.

(3) The POV has been used in a crime or contains evidence of criminal activity.

(4) The owner or person in charge of the vehicle has been apprehended and is unable or unwilling to arrange for custody or removal.

(5) The POV is mechanically defective and a menace to others using the public roadway.

(6) The POV has been disabled by a traffic accident and the operator is either unavailable or physically incapable of having the vehicle towed.

(7) Military police personnel reasonably believe the vehicle is abandoned.

3-3. Towing and Storage.

a. All vehicles towed for parking violations will be towed by a civilian towing service. The civilian towing service will be requested on a rotating basis from a pre-established list. Vehicles towed will be transported to the towing service lot, and the owner must make arrangement for the release of the vehicle with the towing service.

b. All vehicles impounded by the military police that have been involved in a crime, contain evidence, or have been abandoned will be towed by a U.S. Army contracted towing service to the military police impound lot, located behind building 87, Ft Monroe, and processed as outlined in paragraph 3-4.

3-4. Procedure for Towing and Impoundment.

a. Vehicles will be towed and impounded using the following procedures for all offenses other than criminal or abandonment:

(1) The vehicle must meet one of the requirements outlined in paragraph 3-3.

(2) Permission must be obtained from the Provost Marshal or Deputy Provost Marshal.

(3) An attempt by the military police to locate the owner or driver of the vehicle has been made.

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(4) A properly completed DD Form 1805 (United States District Court Violation Notice) has been attached to the vehicle for the violation.

(5) Notification by the military police desk sergeant is made to the towing service to pick up the vehicle.

(6) An entry in the military police journal containing all information concerning the vehicle.

b. Vehicles being impounded for criminal activity or containing evidence will be impounded using the following procedures:

(1) Military police investigations or Criminal Investigation Division must request that the vehicle be impounded.

(2) The Provost Marshal or Deputy Provost Marshal has been notified.

(3) Notification is made to tow the vehicle.

(4) A military policeman will accompany the vehicle to the impound lot.

(5) All necessary military police paperwork documenting the impoundment of the vehicle will be completed by the investigator that requested the vehicle be impounded, ensuring the chain of custody is maintained on the vehicle.

c. Impoundment of vehicles suspected of being abandoned will be accomplished using the following procedure:

(1) An abandoned vehicle notice will be placed on the vehicle by the found property custodian.

(2) The owner will be given 3 working days from the date the notice is placed on the vehicle to remove it.

(3) After the 3 days, if the vehicle has not been removed, the contract towing service will be contacted, and the vehicle will be towed to the military police impound lot by the found property custodian IAW AR 190-5, paragraph 3-4, and DOD Directive 4160.21M.



Chapter 4
Installation Car/Van Pool Program

4-1. Purpose. This chapter prescribes policies and procedures for the implementation of the Fort Monroe Car/Van Pool Program.

4-2. Objectives. The objectives of this program are designed to:

- a. Conserve energy and improve environmental quality.
- b. Discourage one-car, one-person travel to and from work.
- c. Reduce parking congestion.

4-3. Definition of Terms.

a. Car Pool. A group of three or more people residing off post using a single motor vehicle for daily transportation to and from work, or a group of four or more people meeting in an on-post satellite parking area and then driving one vehicle into the work area.

b. Van Pool. A group of 8 to 15 people residing off post using a van for transportation to and from work in a single daily round trip. The van is specifically designed to carry passengers. The term excludes automobiles, buses, or commercially operated van pools.

c. Car/Van-Pool Member. A member of a car/van pool who travels to and from work 5 days a workweek. TDY does not count against total members in the car/van pool.

4-4. Responsibility.

a. Provost Marshal will:

(1) Organize, direct, supervise, and enforce the installation's system for carpooling.

(2) Provide administrative management to include issuance and control of car-pool passes.

(3) Maintain a personnel register of assigned car-pool passes and withdraw privileges as deemed necessary; i.e., for reasons of abuse of the system, expiration of pass, etc.

b. Directorate of Engineering & Housing will:

- (1) Provide materials for proper marking of car-pool spaces.
- (2) Provide engineer support for posting and maintenance of car-pool signs and painted spaces.

c. Car/Van-Pool Members:

- (1) Will not authorize members who are not carpoolers to use the pass.
- (2) Will not use vehicles other than the ones designated on the car-pool pass.
- (3) Will not utilize the car-pool pass unless all members of the car pool are using the same vehicle for transportation to and from work.
- (4) Will not add vehicles or members to the pass unless written approval has been received from the Provost Marshal.

4-5. Permit Application Requirements.

- a. Three or more regular members.
- b. Husband and wife "teams" constitute legitimate car-pool membership, provided they work but do not reside on Fort Monroe.
- c. Each regular member must, at the time of registration, show proof of ownership (vehicle registration), a valid current state driver's license, a current vehicle safety inspection, and post registration.
- d. Complete the car-pool permit agreement and personal data card in the presence of vehicle registration clerk.

4-6. General.

- a. When the prerequisites have been met, a single car pool permit (ATZG-PM Form 56) will be issued. The permit will be exchanged only among authorized members of the car pool.
- b. The car-pool permit will be safeguarded to ensure it is neither lost nor stolen.
- c. Lost or stolen permits should be reported immediately to the Provost Marshal Office.

d. Personnel who fail to bring their car-pool permit with them on any given date are not authorized to park in a car-pool space for that day.

e. A car-pool permit (ATZG-PM Form 56) is valid for a maximum of 6 months and may be renewed by any member of the car-pool, on or shortly prior to the designated expiration date.

4-7. Administration.

a. The Provost Marshal will maintain a numerically sequenced filing system which reflects the total number of permits issued, the current availability of car-pool parking spaces (i.e., vacancies), and the number of occupants in each car-pool.

b. An alphabetic cross-reference filing system will be maintained on each car-pool member. This system will record both the number assigned to the individual's car-pool permit as well as the data contained in that member's initial application; i.e., name, rank, SSN, organization, telephone, and assigned Fort Monroe post decal number.

c. The Provost Marshal will review car-pool registration files monthly to update/purge the records.

d. Request for exception to policy will be submitted in writing to the Provost Marshal outlining the exception requested. Exception to policy will be handled on a case-by-case basis.

4-8. Termination. A car-pool will be officially terminated under the following conditions:

a. For failure to renew the permit within the time prescribed.

b. For failure to notify the Provost Marshal of changes in the status of its member (i.e., withdrawal from the car pool, PCS, etc.).

c. For reproducing a car-pool permit.

d. Any unauthorized use as outlined in paragraph 4-4c will result in the loss of the car-pool permit and appropriate traffic citation issued.

Chapter 5
Fort Monroe Parking Policy

5-1. Purpose. This chapter sets policies, responsibilities, and procedures for parking on Fort Monroe.

5-2. Parking Policy. Parking enforcement should motivate drivers to operate vehicles safely within the parking laws and regulations and maintain an effective and efficient driving record. The following is the Fort Monroe parking policy:

a. First time offenders will be issued a traffic citation or a warning ticket.

b. Second time offenders within 12 months will receive a traffic citation and have a warning decal attached to the driver's side window.

c. Third time offenders within 12 months will receive a traffic citation; have a warning decal attached to the driver's window; have a "tire boot" attached to the vehicle, which will require the driver to report to the Provost Marshal to coordinate the removal, and a mandatory court appearance.

d. Fourth time offenders within 12 months will receive a traffic citation with a mandatory court appearance, vehicle towed at the owner's expense, letter from the installation Provost Marshal, and suspension of post driving for a period of 60 days.

5-3. Basic Parking Guidance.

a. Vehicles will not be left unattended without first stopping; locking the ignition; removing the keys; closing the windows; locking all doors, and if on a grade, setting the brake and turning the front wheel into the curb on the side of the roadway. Except when necessary to avoid conflict with other traffic or in compliance with law and other directions of enforcement personnel or official traffic control devices, no person shall stop, stand, or park a vehicle:

(1) On the roadway side of any vehicle already stopped or parked at the edge of a curb or a street.

(2) On a sidewalk.

(3) Within an intersection.

- (4) On a crosswalk or within 20 feet of a crosswalk at an intersection.
- (5) At any place where official signs prohibit.
- (6) In front of any driveway.
- (7) Within 15 feet of a fire hydrant.
- (8) On lawns or grassed area. (ONLY DURING AUTHORIZED EVENTS)
- (9) In a fire lane.
- (10) To wait for a parking space, except to allow a moving vehicle to exit from a parking space.
- (11) Unattended with the motor running.
- (12) In a posted handicap parking space without a visible valid handicap state decal or tag.
- (13) In more than one parking space.
- (14) On or next to a yellow line.
- (15) Longer than timed-spot authorization.

b. Illegal parking contributes to congestion and slows traffic on the installation. By following the basic guidelines below, illegal parking can be reduced or even eliminated:

(1) Vehicles are to be parked on paved areas which have parking stalls marked by two white lines, and vehicles must not protrude outside the boundaries of the lines.

(2) Personnel residing on Ft Monroe must store campers, boats, trailers, and oversized vehicles in the recreational vehicle lot and coordinate through DCFA (Recreation Services), except as approved by the installation Commander. Recreational vehicles may be removed from the recreational vehicle lot and parked at or near the owners' quarters for up to 72 hours, providing they are otherwise legally parked.

5-4. Designated Use of Reserved Parking.

a. Signs indicating reserved parking will be installed at the appropriate locations and restricted to the use of the personnel assigned. Personnel not authorized a reserved parking space will not park in a reserved space or establish reserved parking spaces unless authorized.

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b. Full use will be made of existing authorized on and off street parking facilities on a nonreserved (first-come, first-serve) basis. Commanders and directors will limit reserved parking to the minimum authorized or necessary to support the activity.

c. Requests for reserved parking spaces or reserved parking signs will be submitted to the post engineers.

Chapter 6
Rules of the Road

6-1. Purpose. The Fort Monroe "Rules of the Road" are designated to familiarize Fort Monroe motorists with the most important and most commonly abused laws and regulations governing the operation of motor vehicles on the installation. This chapter is intended to supplement the Virginia motor vehicle and traffic regulations. Violation of the provisions of this chapter provides a basis for referral to the U.S. Magistrate Court for violations of Virginia motor vehicle codes and/or disciplinary action under the UCMJ for personnel subject to its provisions. The enumeration in this chapter is not intended to preclude prosecution of military personnel under the UCMJ for violations of rules contained in other chapters of this regulation, when such prosecution is appropriate.

Section I
Obedience to Vehicle Regulation, Law Enforcement Personnel, and
Traffic Control Devices

6-2. General. The provisions of this regulation relate to the operation of vehicles, motorcycles, motor-driven cycles, and bicycles operated on Fort Monroe.

6-3. Required Obedience to Traffic Laws. No person shall perform any act forbidden or fail to perform any act required by the Fort Monroe, Virginia motor vehicle regulation. In addition to the specific sections mentioned in this chapter, violations of any requirements or offenses listed in the Motor Vehicle Laws of Virginia are considered to be violations of this code.

6-4. Obedience to Enforcement Personnel. No person shall willfully fail or refuse to comply with any lawful order or directive of any enforcement personnel invested by the provisions of this or other applicable regulations with authority to direct, control, or regulate traffic.

6-5. Obedience to Traffic Control Devices. The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, placed or constructed by proper authority, unless otherwise directed by enforcement personnel, subject to the exceptions granted the driver of an authorized emergency vehicle.

6-6. Display of Unauthorized Signs, Signals, or Markings.

a. No person shall place, maintain, or display on or in view of any roadway or parking lot of the Fort Monroe installation any unauthorized sign, signal, or marking device which purports to be, or an imitation of, or resembles an official traffic control device. Placement of all signs will be coordinated with the post facility engineers.

b. An unauthorized sign, signal, or marking is prohibited and hereby declared to be a public nuisance. The Directorate of Engineering and Housing and the Provost Marshal are hereby authorized to remove same or cause it to be removed without notice.

6-7. Interference with Official Traffic Control Devices. No person shall without lawful authority attempt to or in fact alter, injure, knock down, or remove any official traffic control device; any sign or signal; or any inscription, shield, or insignia thereon, or any part thereof.

Section II Operation of Vehicles

6-8. Driving While Under the Influence of Intoxicating Liquor.

a. No person shall operate any vehicle on the roadway of Fort Monroe while under the influence of intoxicating liquor.

b. The amount of alcohol in the person's blood at the time of apprehension will be determined by chemical tests. The results (.10) shall give rise to the presumptions set forth in AR 190-5 and Virginia state law.

6-9. Transportation of Alcoholic Beverages. It is prohibited to have open containers of alcoholic beverages or to consume alcoholic beverages in a moving vehicle.

6-10. Fleeing or Attempting to Elude Law Enforcement Personnel. No person shall willfully fail or refuse to bring his/her vehicle to a stop, flee, attempt to flee, or elude law enforcement personnel who are giving visual or audible signals to bring the vehicle to a stop. The signal given by law enforcement personnel may be by hand, voice, emergency light, or siren.

6-11. Use of Seat Belts.

a. The wearing of seat belts by operators and passengers of a motor vehicle is mandatory IAW AR 385-55, when so equipped.

b. Safety belts (lap and shoulder as provided in vehicles) will be worn by personnel subject to post driving requirements while operating or riding in such vehicles on Fort Monroe. Drivers of military design tactical Army motor vehicles that are not equipped with restraining devices are exempt. Privately owned vehicles will, as a minimum, be equipped with safety belts as required by federal regulations that require installation of such devices on vehicles manufactured after 1967.

Section III
Speed Limits

6-12 Basic Law. No person shall drive a vehicle at a rate of speed greater than is reasonable and prudent under the actual conditions and potential hazards that exist. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching a curve, when traveling on any narrow roadway, and when special hazards exist with respect to children, pedestrians, other traffic, weather, or highway conditions.

6-13. Maximum Speed Regulation.

a. Except when a special hazard exists that requires lower speed for compliance with paragraph 6-12, the limits hereinafter specified or established shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.

b. The maximum speed on all roadways on Fort Monroe is 25 miles per hour unless otherwise posted, with the following exceptions:

(1) The speed limit while approaching or passing troops in formation is 10 miles per hour.

(2) The speed limit within blinking yellow warning lights is 15 miles per hour when activated on Fenwick Road.

(3) When entering and exiting the installation, motorists will slow their vehicles and be prepared to stop on the signal of the military policeman at the main gate.

6-14. Excessive Acceleration. Excessive acceleration, i.e., spinning wheels, squealing tires, breaking traction, face on takeoff, etc., is prohibited.

Section IV
Emergency Vehicles

6-15. Authorized Emergency Vehicles.

a. The driver of an authorized emergency vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected felon, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

b. The driver of an authorized emergency vehicle may--

(1) Park or stand, irrespective of the provisions of this regulation if circumstances so warrant.

(2) Proceed past a stop signal or stop sign, but only after slowing down or stopping as may be necessary for safe operation.

(3) Disregard regulations governing direction of movement or turning in specified directions, providing this action does not endanger other motorists or pedestrians.

(4) Exceed the posted speed limit within limits, providing this action does not endanger other motorists or pedestrians.

c. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others.

Section V Traffic Flow

6-16. No-passing Zones. No person shall at any time drive on the left side of the roadway within a no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

6-17. One-way Roads. At all such times as indicated by official traffic control devices, a vehicle on a roadway designed for one-way traffic shall be driven only in the direction designated.

6-18. Following too Closely. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic and conditions of the roadway.

6-19. U-turns. U-turns on Fort Monroe roadways are prohibited except where authorized by signs.

6-20. Emerging From Driveway or Parking Area. The driver of a vehicle emerging from an alley, driveway, building, or parking area shall stop such vehicle immediately prior to driving onto a sidewalk area extending across such alley, driveway, building, or parking area. In the event there is no sidewalk area, the driver shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon.

6-21. Overtaking or Passing a School Bus. The driver of a vehicle on a roadway, upon meeting or overtaking from either direction a yellow school bus that has stopped to receive or discharge school children, shall stop his/her vehicle before reaching the school bus when said school bus has a visual signal in operation. Said driver shall not proceed until the school bus resumes motion and the visual signals are no longer activated.

6-22. Driving on Sidewalk. No person shall drive any vehicle on a sidewalk or sidewalk area, except at permanent or temporary driveways, unless authorized to do so by enforcement personnel or operational requirements dictate that the vehicle utilize the sidewalk.

Section VI
Right-of-Way Rules

6-23. Vehicles Entering Stop or Yield Intersection.

a. Except when directed to proceed by enforcement personnel or traffic control signals, the driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line (but if none, then at the point nearest the intersecting roadway where he/she has a view of approaching traffic on the intersecting roadway before entering the intersection). After stopping, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on said roadway as to constitute an immediate hazard during the time said driver is moving across or within the intersection.

b. The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for the existing condition, and if required for safety, shall stop as directed in a above. After slowing and/or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection. In addition, if such a driver is involved in a collision without stopping, such collision shall be deemed prima facie evidence of his/her failure to yield the right-of-way.

6-24. Vehicle Entering Roadway From Driveway. The driver of a vehicle about to enter or cross a roadway from an alley, parking lot, or driveway shall yield the right-of-way to all approaching vehicles on the roadway.

Section VII
Pedestrians: Rights and Duties

6-25. Pedestrian's Obedience to Traffic Control Devices and Traffic Regulations. A pedestrian shall obey the instructions of any official traffic control device specifically applicable to him/her unless otherwise directed by enforcement personnel and at all other places shall be accorded the following privileges and shall be subject to the restrictions stated in this regulation:

a. Individual Joggers. Individuals and small groups will make maximum use of sidewalks and jogging paths.

(1) Where sidewalks or jogging paths are not available, joggers will jog on the left edge of the roadway, in single file,

facing oncoming traffic and will yield to vehicular traffic except at authorized crosswalks.

(2) A minimum of 100 square inches of reflective material, distributed front and back, will be worn on the outer garment during hours of darkness or reduced visibility, when jogging on streets and roads, paved, or unpaved where vehicles have access.

(3) The wearing of headphones/earphones by joggers, skaters, pedestrians, and bicyclists while using installation roads and streets is prohibited.

(4) During MRCs or other official ceremonies, jogging on the seawall ground area will be restricted.

b. Troop Formations. Motor vehicle operators must always be on the lookout for troop formations, which may be encountered on Fort Monroe roadways at any time, day, or night. Maximum speed passing troop formations is 10 miles per hour.

6-26. Pedestrian Right-of-Way in Crosswalks.

a. When traffic control signals are not in place or in operation and a pedestrian is on the half of the roadway on which the vehicle is traveling, or is approaching so closely from the opposite half of the roadway as to be in danger, the driver of the vehicle shall yield the right-of-way by slowing down or stopping, if necessary.

b. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

c. Whenever a vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

6-27. Crossing at Other Than Crosswalks.

a. Pedestrians crossing a roadway at any point other than within a marked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway.

b. Pedestrians shall not cross a roadway intersection diagonally.

6-28. Pedestrian Soliciting Rides. No person shall stand in a roadway or on the boundaries of such roadways for the purpose of soliciting a ride.

Section VIII

Traffic Accidents and Traffic Accident Reporting

6-29. Accidents Involving Death or Personal Injury, Damages to Vehicles or Property. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to vehicle or property shall stop immediately at the scene of such accident or as close thereto as possible and remain at the scene of the accident until he has fulfilled the requirements of paragraph 6-30, unless emergency medical treatment is required. Every such stop shall be made without obstructing traffic more than is necessary.

6-30. Duty to Give Information and Render Aid. The driver of any vehicle involved in any accident resulting in injury to or death of any person, or damage to any vehicle or other property which is driven or attended by any person, shall remain at the scene of the accident until released by law enforcement personnel. Further, such person shall give his/her name, address, and the registration number of the vehicle he/she is driving and upon request exhibit his/her driver's license or permit to law enforcement personnel; any person injured in such accident; the driver, occupant of, or person attending any vehicle or property damaged in such accident.

6-31. Duty Upon Damaging Unattended Vehicle or Other Property. The driver of any vehicle which collides with or is involved in an accident with any unattended vehicle or property shall immediately stop and assure that the military police (telephone 2238) are notified. Such person shall then remain at the scene of the accident until released by law enforcement personnel.

6-32. Immediate Notice of Accident.

a. The driver of a vehicle involved in an accident resulting in injury to or death of any person and damage to any vehicle or other property shall immediately, by the quickest means of communication, give notice to the military police.

b. When the driver of the vehicle is physically incapable of giving immediate notice of an accident as required in this section, and another occupant is in the vehicle at the time of the accident who is capable of doing so, he/she shall notify or cause notice to be given to the military police.

c. Should the operator of a motor vehicle hit and injure/kill any animal within the limits of Fort Monroe, the operator will stop at the scene and/or at once notify the military police of the location of the animal. When requested, the operator of the vehicle will accompany the military police to the scene to help locate the animal for proper disposition.

Section IX
Operation of and Rules for Bicycles

6-33. Traffic Laws Apply to Persons Riding Bicycles. Every person riding a bicycle on a roadway shall be granted all the rights and shall be subject to all the duties applicable by this regulation to the driver of a vehicle, barring special exceptions within and provisions of this regulation which, by their nature, can have no application.

6-34. Riding on Bicycles.

a. A person propelling a bicycle shall not ride other than on or astride a permanent and regular seat attached thereto.

b. No bicycle shall be used to carry more people at one time than the number for which it is designed and equipped.

c. No bicycle shall be parked on a street, sidewalk, or against a building in such a way as to obstruct pedestrian or vehicular traffic. Whenever a bicycle or moped is left unattended, adequate locking devices and/or chains will be used to secure it to a fixed object which would preclude easy theft.

6-35. Lamps and Other Equipment on Bicycles.

a. Every bicycle when in use at night shall be equipped with a lamp on the front which emits a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear.

b. No person shall operate a bicycle unless it is equipped with a bell or other devices capable of giving an audible signal for a distance of at least 100 feet.

c. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, and clean pavement.

d. Every bicycle shall have reflectors or reflectorized material placed in such a manner that the headlights of motor vehicles approaching from any direction will reflect thereon.

6-36. Operating Motorcycles on Roadway Laned for Traffic.

a. All motorcycles are entitled to the use of a full lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of the lane.

b. The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

c. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

d. Motorcycles shall not be operated more than two abreast in a single lane.

e. Motorcycles will be operated with headlights on at all times.

6-37. Footrests and Handlebars.

a. Any motorcycle carrying a passenger shall be equipped with footrests for such passengers.

b. No person shall operate any motorcycle with handlebars that are more than 15 inches above the portion of the seat occupied by the operator.

6-38. Requirement for Motorcycle Operator's Permit and Equipment for Motorcycle Riders.

a. All military personnel, dependents, and civilian employees operating motorcycles or mopeds on Fort Monroe must complete a motorcycle safety course, or possess evidence from another cooperating agency which indicates their completion of either the "Motorcycle Supplement of the National Safety Council's Defensive Driving Course," or a motorcycle rider education course meeting the requirements established by the Motorcycle Safety Foundation.

b. No person shall operate or ride upon a motorcycle or moped, unless he is wearing suitable eye protection and a properly fastened protective helmet which complies with the standards established by the Commonwealth of Virginia. Safety goggles or safety face shield will fulfill the requirement for a suitable eye protective device. Leather footwear that covers the ankle, long pants, long sleeved shirt and gloves will also be worn as outlined in AR 380-55. Owning a Commonwealth of Virginia approved protective helmet is a prerequisite to registering a two-wheeled motor vehicle on Fort Monroe. Further, all passengers riding a motorcycle will also wear an approved protective helmet.

6-39. Operation of Off-highway Vehicles. The use of off-highway vehicles on Fort Monroe is prohibited.

Section X
Miscellaneous Rules

6-40. Limitations on Backing. The driver of a vehicle shall not back the vehicle unless such movement can be made safely and without interfering with other traffic.

6-41. Opening and Closing Vehicle Door. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with movement of other traffic. Additionally, no person shall leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

6-42. Riding in Trailers. No person or persons shall occupy any trailer or towed conveyance while it is being moved on any roadway of this installation.

6-43. Standing in Open Conveyances. No person or persons shall stand in any open conveyance while it is in motion on any roadway of this installation.

6-44. Crossing a Firehose. No vehicle shall drive over any firehose without the consent of the fire department official.

6-45. Unattended Children. In accordance with the Post Commander's Policy Letter #35, children under the age of 9 will not be left unattended in parked vehicles at any time. If a child under the age of 9 is discovered unattended in a parked vehicle, a military police report will be initiated and the incident referred to the post Family Advocacy.

6-46. Discarding of Trash on Roadways. No person shall throw or deposit on any roadway of this installation glass, nails, wire, cans, or any other substance or material likely to cause injury to any person or vehicle upon such roadway, nor shall anyone throw or deposit any substance that would create an unsightly appearance on or along any roadway of this installation.

6-47. Lamps or Flags on Projecting Loads. Whenever the load upon any vehicle extends to the rear 4 feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load red flags not less than 12 inches square marking the extremities of such load. Such loads will not be moved after the hours of darkness unless two red lamps, visible from a distance of 500 feet to the rear, are displayed in lieu of the red flags.

6-48. Disassembly of Privately Owned Vehicles. Privately owned vehicles will not be disassembled or placed on jacks or blocks in front of family quarters, billets, parking lots, or other similar areas.

6-49. Towing of Vehicles. Vehicles may be towed to a point of repair providing the following provisions are complied with:

- a. The drawbar or connecting device is made of sturdy material, i.e., chain, cable, or welded towbar.

b. The length of the towing connection between the vehicles shall not exceed 15 feet.

c. The device shall be marked with yellow or white cloth markers not less than 12 inches square tied to the towing device.

6-50. Transporting Weapons in Vehicles. Privately owned weapons may be transported in privately owned vehicles; however, they shall not be transported concealed (i.e., glove compartments, under seats, or between the seats in the passenger compartment). Weapons will be placed in the trunk of the vehicle. In vehicles that do not have trunks, such as motorcycles or pickup trucks, the weapon must be unloaded and carried in plain view. Weapons and ammunition belonging to the United States Government shall not be transported in a privately owned vehicle without the written approval of the Commander.

6-51. Wearing of Headphones/Earphones. Headphones will not be worn while operating a motor vehicle on Fort Monroe, except as when used as hearing protection.

6-52. State Motor Vehicle Registration and Driver's License Requirements.

a. Any person driving a privately owned vehicle on the installation will have in his/her possession a valid state driver's license.

b. Any person operating a government vehicle will have in his/her possession a valid state driver's license. A Standard Form 46 (U.S. Government Motor Vehicle Operator's Identification Card) is only required when operating emergency vehicles, vehicles weighing over 10,000 pounds, tactical vehicles, or when the individual does not possess a state driver's license.

c. Virginia driver's license and license plates are not required if the service member has a valid home state driver's license and home state vehicle registration in his/her possession.

d. A spouse or family member (above the age of 16 years) or a member of the armed forces stationed in Virginia may drive in Virginia as long as they have in their possession a valid state license. However, should they become gainfully employed for more than 60 days in the Commonwealth of Virginia, the family member is then considered to be a resident and must, therefore, receive a Virginia operator's permit within 30 days.

e. USAREUR license plates are valid for 30 days from the day the vehicle arrives in CONUS.

f. Foreign liaison officers will receive an in state driver's license.

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6-53. Skateboards, Tricycles, Bigwheels, and Go-carts.

a. Skateboards, tricycles, and bigwheels will not be operated on the streets of Fort Monroe.

b. Skateboards, tricycles, and big wheels can be ridden on the sidewalks; however, pedestrians have the right of way.

c. Go-carts and skateboard ramps are prohibited on Fort Monroe.

6-54. State Vehicle Inspection Requirements. All vehicles operating on Fort Monroe will either have a valid state registration safety inspection or a state of Virginia safety inspection prior to operating on the installation.

6-55. Objects in Rear Window. No items or decals will be placed on the rear window of any vehicle that would obstruct the driver's view; neither will obscene language be placed on the bumper or window of any vehicle.

6-56. Search of Vehicles. All private vehicles on post are subject under the following circumstances:

a. Any vehicle or individual entering Fort Monroe is subject to search at the main gate by military police or other persons having lawful authority. Prior to search, the consent of the vehicle operator will be requested. If the consent is denied, the vehicle and its occupants will be denied entry to the installation.

b. Any vehicle or individual on Fort Monroe may be searched by military police or others having lawful authority in accordance with current federal standards allowing such search.

6-57. Hampton City Decals.

a. Active duty personnel assigned to Fort Monroe and residing in the city of Hampton or on Fort Monroe are authorized a Hampton city decal, free of charge, providing they meet the following requirements:

(1) Vehicles bearing a city decal are registered in the service member's name ONLY. Joint registration with other than another service member is not acceptable.

(2) Possess a valid ID card.

(3) Service members have proof of their home of record by showing their Leave and Earnings Statement.

- (4) Not a resident of Virginia.
 - (5) Have a street address in the city of Hampton or on Fort Monroe.
- b. City stickers are valid for a period of 1 year only.

1 November 1989

FM Reg 190-5

**Appendix A
References**

AR 190-5
Motor Vehicle Traffic Supervision

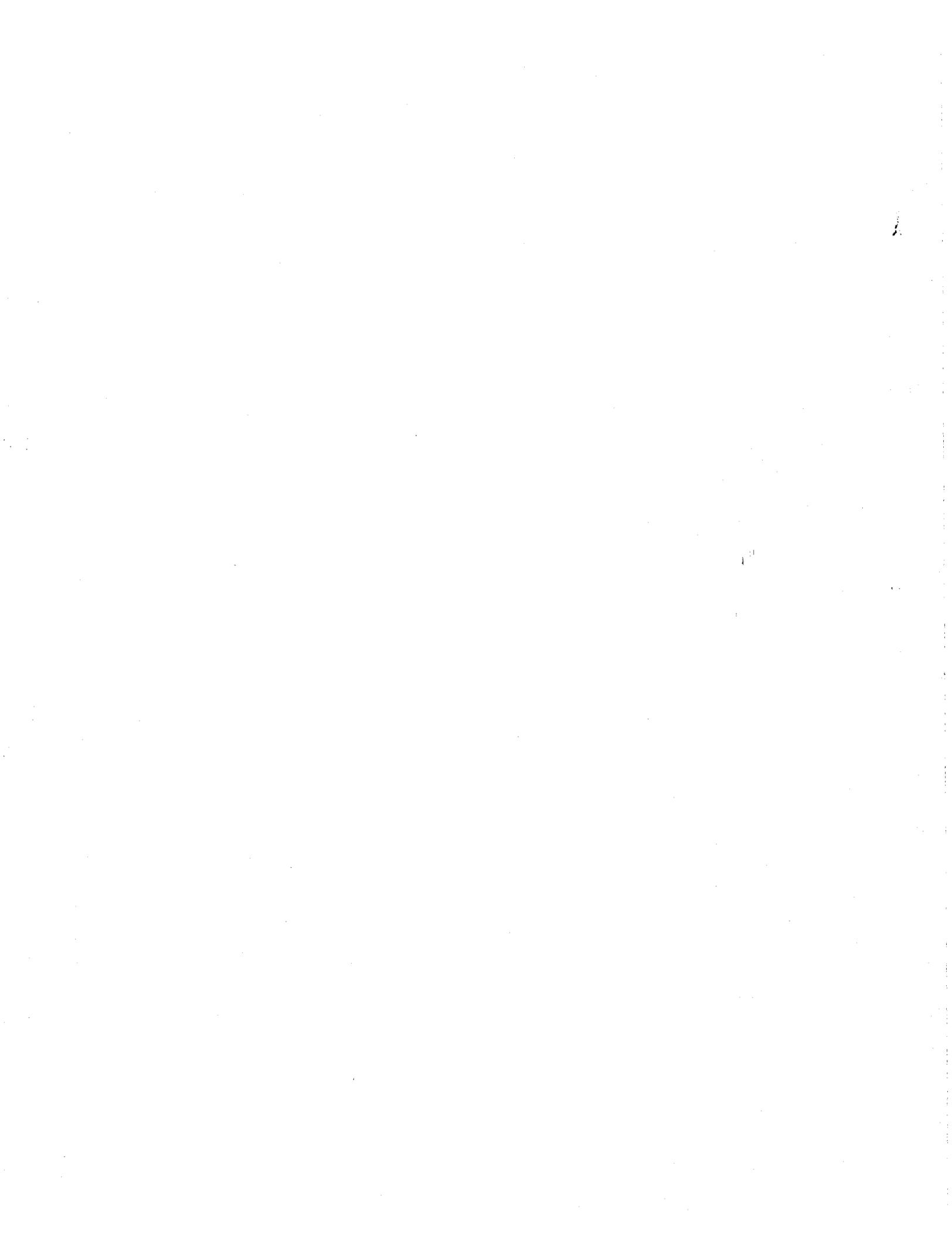
AR 190-29
Minor Offenses and Uniform Violations Notices Referred to U.S.
District Courts

AR 385-55
Prevention of Motor Vehicle Accidents

DOD 4160.21-M
Defense Disposal Manual

Title 18, United States Code, Section 13

Motor Vehicle Laws of the State of Virginia



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1 November 1989

(ATZG-PM)

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